

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

GILBERT G. LUNDSTROM,

Plaintiff,

v.

FEDERAL DEPOSIT INSURANCE
CORPORATION, in its capacity as
receiver and/or conservator of TierOne
Bank,

Defendant.

Case No. 8:11-cv-00094

ORDER OF DISMISSAL

Plaintiff, Gilbert G. Lundstrom, and Defendant, the Federal Deposit Insurance Corporation, as receiver for TierOne Bank, having settled and compromised the claims asserted by Plaintiff in this action, have agreed to the dismissal of this action with prejudice.

IT IS THEREFORE ORDERED that this action is dismissed with prejudice and that this dismissal shall have no effect whatsoever on any claims or causes of action of the Federal Deposit Insurance Corporation, in any of its capacities, against Plaintiff Gilbert G. Lundstrom.

Each party is responsible for their own costs of court.

Signed this 12th day of January 2012.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge